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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/042,005	01/08/2002	Rabindranath Dutta	AUS920010636US1	4931

7590
05/03/2006
Kelly K. Kordzik
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EXAMINER

MANNING, JOHN

ART UNIT	PAPER NUMBER
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2623

DATE MAILED: 05/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.		Applicant(s)	
	10/042,005		DUTTA ET AL.	
	Examiner		Art Unit	
	John Manning		2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-2, 4-8, 11-12, 14-18, 21-22 and 24-28 are rejected under 35 U.S.C. 102(b) as being anticipated by Abecassis (US Pat No 5,589,945).

In regard to claims 1, 11 and 21, Abecassis discloses "a video system comprising integrated random access video technologies and video software architectures for the automated selective retrieval of non-sequentially stored parallel, transitional, and overlapping video segments from a single variable content program source, responsive to a viewer's preestablished video content preferences. Embodiments of the video system permit the automatic transmission of the selected segments from a variable content program as a seamless continuous and harmonious video program, and the transmission of the selected segments from an interactive video game further responsive to the logic of the interactive video game. The viewer's video content preferences being stored in the video system, and/or in a compact portable memory device that facilitates the automatic configuration of a second video system. The system's controls also provide an editor of a variable content program the capability for efficiently previewing automatically selected video segments to permit the editor

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to indicate the inclusion of the selected segments in the program to be viewed by a viewer" (Abstract). The claimed limitation of "receiving a broadcast signal" is met by Figure 5 (See: Col 18, Line 64 – Col 19, Lines 18). The claimed limitation of "displaying a broadcast associated with said broadcast signal" is met by Figure 5, Item 506 (See: Col 12, Line 20-29). The claimed limitation of "recording said broadcast" is met by Figure 5, Item 514 (See: Col 14, Line 23-42; Col 18, Lines 10-26). The claimed limitation of "assigning one or more sessions to said recorded broadcast" is met by Figures 3A-3C (See: Col 9, Line 34-49; Col 19, Line – Col 20, Line 9). The claimed limitation of "associating one or more units with said one or more sessions" is met by Figure 7, 721 (See: Col 20, Lines 38-46; Col 19, Lines 30-39). The claimed limitation of "editing said recorded broadcast for one or more of said one or more sessions" is met by Figure 3B-3C (See: Col 9, Line 34 – Col 10, Line 5). The claimed limitation of "transmitting said edited broadcast to one or more of said one or more units associated with said one or more of said one or more sessions with a delay" is met by the disclosed video buffer (See: Col 14, Line 23-42; Col 16, Lines 47-65). In an *alternative* interpretation, a delay associated with a transmission is inherent due to signal propagation time over a transmission line/medium.

In regard to claims 2, 12 and 22, the claimed limitation of "receiving input to delete content of said recorded broadcast associated with one or more sessions" is met by Figures 3B-3C (See: Col 9, Line 34 – Col 10, Line 5).

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In regard to claims 4, 14 and 24, the claimed limitation of “each of said one or more units is configured to display said edited broadcast” is disclosed by Abecassis (See Col 12, Lines 20-29; Col 19, Lines 30-38; Col 19, Lines 48-53).

In regard to claims 5, 7, 15, 17, 25 and 27, the claimed limitations of “a first session of said one or more sessions is associated with a first edited recorded broadcast, wherein a second session of said one or more sessions is associated with a second edited recorded broadcast, wherein said first edited recorded broadcast is different in content from said second edited recorded broadcast” and “said first edited recorded broadcast is transmitted to a first unit associated with said first session, wherein said first unit is configured to display said first edited recorded broadcast, wherein said second edited recorded broadcast is transmitted to a second unit associated with said second session, wherein said second unit is configured to display said second edited recorded broadcast” are disclosed by Abecassis (See Col 20, Lines 38-46).

In regard to claims 6, 16 and 26, the claimed limitation of “said first edited recorded broadcast is edited for a first age group, wherein said second edited recorded broadcast is edited for a second age group” is disclosed by Abecassis (See Col 23, Lines 18-44; Col 24, Line 55 – Col 25, Line 8). The MPAA rating system is an age-based system (e.g. PG-13 indicates that the material may not be suitable for children under 13).

Claims 8, 18, and 28 are met by that discussed above for claims 1, 11 and 21.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3, 10, 13, 20, 23 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abecassis in view of Tabuchi et al. (TV Community System That Enables Users To Build and Maintain a Community Associated With the Time-Line of TV Program, 1999, Scientific Publication Information Processing Research Report, Vol. 99, No. 7, ISSN 0919-6072).

In regard to claims 3, 10, 13, 20, 23 and 30, Abecassis fails to disclose receiving input to annotate content of said recorded broadcast associated with one or more sessions where said annotated contents are transmitted to said one or more of said one or more units associated with said one or more of said one or more sessions. Tabuchi teaches receiving input to annotate content of said recorded broadcast associated with one or more sessions where said annotated contents are transmitted to said one or more of said one or more units associated with said one or more of said one or more sessions (Pages 3 and 11-2) so as to allow the viewer to participate and offer feedback. Consequently, it would have been clearly obvious to one of ordinary skill in the art to modify Abecassis with the use of receiving input to annotate content of said recorded broadcast associated with one or more sessions where said annotated contents are

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transmitted to said one or more of said one or more units associated with said one or more of said one or more sessions for the stated advantage.

5. Claims 9, 19 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Abecassis.

In regard to claims 9, 19 and 29, Abecassis fails to disclose said delay is a variable delay. The Examiner takes Official Notice that it is notoriously well known in the art to have a variable delay of a transmission so as to buffer a signal with respect to the current characteristics of the system. Consequently, it would have been obvious to one of ordinary skill in the art to modify Abecassis with a delay is a variable delay for the stated advantage.

Conclusion


6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Manning whose telephone number is 571-272-7352. The examiner can normally be reached on M-F: 9:00 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W. Miller can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JM
April 28, 2006



JOHN MILLER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600